

## THE MISSOURI SENATORSHIP.

Rep. Cook Testified He Was Offered a Good Piece of Money if he Would Vote for Niedringhaus.

ALSO OFFERED A FEDERAL JOB.

Keren's Friends Have Not Formed a Combination to Defeat the Caucus Nominee.

St. Louis, Mo., Jan. 16.—A special to the Post-Dispatch from Jefferson City, Mo., says:

Representative Cook of Howell county testified at the executive session of the senate investigating committee today that he had been promised "a good piece of money if he would vote for Thomas K. Niedringhaus for senator." The proposition, witness declared, was made to him Jan. 4, or the day preceding the Republican senatorial caucus.

"M. E. Morrow, a personal friend of mine in West Plains, Mo., represented the party who made the offer," said Mr. Cook. Representative Cook was urged to give the name of the man who had spoken to Morrow. He hesitated a moment and then mentioned the name of a prominent postmaster in southeast Missouri.

"It was also informed," declared Cook, "that if I switched from Keren to Niedringhaus I could have a federal job paying \$6 a day, which is now held by a man named Grant Gillespie."

Cook was before the committee about 20 minutes. When asked by the Post-Dispatch relative to the testimony he was reported to have given, he said:

"It is true that an attempt was made to unduly influence my vote. The proposition did not come directly, but through a second party."

NO KERENS COMBINATION.

St. Louis, Jan. 16.—A special to the Post-Dispatch from Jefferson City, Mo., says:

Maj. John L. Bittlinger, when asked today if he attended a conference Sunday night at the home of Col. R. C. Keren relative to the senatorial contest, said:

"There was no such conference held in St. Louis. If a dinner party was given at Keren's house to the legislators, I know nothing of it. It was not a conference."

"Will you vote for Thomas K. Niedringhaus for senator?" the major was asked.

"I have always said that I would stand by the caucus rule and cast my vote for Niedringhaus. The story that a combination had been effected among the friends of defeating the caucus nominee, I know nothing of."

"Will the result of the legislative investigation have any effect on the senatorship?"

"I cannot tell. The inquiry is not yet concluded. The senate committee is still pursuing the matter."

It was announced that a subpoena would be issued for Postmaster Hallenbeck and Morrow, of West Plains, and also for men named Smith and Black.

It is said that in amplifying his story before the senate committee, Cook said that Hallenbeck had not only told him in West Plains that he would be "taken care of" but that the day of the Republican caucus Hallenbeck met him in the Madison house here, and in the presence of Smith and Black, declared, "there would be a nice little sum of money in it for him if he would vote for Niedringhaus."

Cook also explained that when Hallenbeck first mentioned the subject at West Plains that he (Hallenbeck) remarked he had come straight from the Niedringhaus headquarters in St. Louis, where he had a talk with Mr. Niedringhaus.

It is authoritatively stated that the majority report being prepared by the senate committee will hold Mr. Niedringhaus culpable in accepting money from St. Louis brewers and then crediting an amount, including that represented by the brewers' contribution, to himself in his own statement of the Republican state committee's reports.

## My! My! You are growing old fast! Too bad!

And you know why, too. It's those gray hairs! Don't you know that Ayer's Hair Vigor restores color to gray hair? Well, it does. And it never fails, either. It stops falling hair also, and keeps the scalp clean. Sold for over sixty years.

ringhaus culpable in accepting money from St. Louis brewers and then crediting an amount, including that represented by the brewers' contribution, to himself in his own statement of the Republican state committee's reports.

## IOWA ANTI-CIGARETTE UPHELD BY U. S. SUPREME COURT

Washington, Jan. 16.—The anti-cigarette law upheld by the supreme court of the United States today in the two cases of Charles P. Cook and Robert E. Hodges, affirming the decision of the supreme court of Iowa. The cigarettes were shipped into the state in small pastboard boxes and the contention was made that in enforcing the law the state authorities were interfering with interstate commerce. The court refused, however, to hold that the small boxes were original packages, and concluded that the action of the state authorities in assessing a tax upon Cook and Hodges was no violation of their constitutional rights.

The opinion was delivered by Justice Brown, who, in the course of it, said: "While this court has been alert to protect the rights of non-resident citizens and had felt it its duty, not always with the approbation of the state courts, to declare the invalidity of laws throwing obstacles in the way of free intercourse and communication between the states, it will not lend its sanction to those who deliberately set out to defraud the public conscience, and to trample upon the laws of a state, the power of Congress to regulate commerce is undoubtedly a beneficial one. The police laws of the state are equally so, and it is our duty to harmonize them."

"Undoubtedly a law may sometimes be successfully and legally avoided if not evaded, but it behooves one who stakes his case upon the letter of the constitution not to be wholly oblivious of its spirit. In this case we can not hold that plaintiffs are entitled to its immunities without striking a serious blow at the rights of the state to administer their own internal affairs."

## GALE IN ENGLAND.

Causes Much Havoc Along the Coasts.

London, Jan. 16.—A fierce gale last night caused much havoc along the coasts of the United Kingdom. There were a number of wrecks of small craft resulting in loss of life. A French ketch was driven ashore on the Isle of Wight, and her crew of five men were drowned. All arrivals report terrific weather. The harbors are filled with vessels seeking shelter. No less than 10 steamers have sought shelter at Holyhead. This morning the bitter cold is accompanied by a gale and the first skating of the winter commenced in Lincolnshire.

Nearly the whole of the fishing fleet of Ulloa, on Lochbroon, Scotland, was driven ashore. Three of the boats were sunk and many were badly wrecked. Two coasting steamers have also been wrecked. A fishing smack has been wrecked off the Orkney islands, and her crew was drowned.

## Would be Assassin of Trepoff.

Moscow, Jan. 16.—The name of the would-be assassin of Gen. Trepoff is Poltavsky, his age is 19 years and he was a student at the commercial school of Moscow. The motive of the attack was revenge for the expulsion of Poltavsky's brother for participation in the Moscow university riots.

## TESTIMONY IN THE SMOOT HEARINGS

[The following testimony in the case against Senator Smoot came too late for our last issue so is continued today for our readers may have it entire.]

Washington, Jan. 16.—Judge William M. McCarthy of the supreme court of Utah, witness called for the defense in the Smoot investigation, today declared that there was a tacit understanding in Utah that one senator should be a "Mormon" and one a Gentile. He said the Gentiles realized that if the "Mormons" should unite they could control and keep Gentiles off the ticket, and therefore Gentiles were apprehensive and they knew whether they were to get "Mormon" support. The judge said he was of the opinion that too much importance was attached to the Church as a political factor and that as a matter of fact there was little interference.

## JUDGE E. A. SMITH.

Elias A. Smith of Salt Lake, cashier of the Deseret Savings bank, was the next witness. He is a "Mormon" and was a member of the People's party (the "Mormon" party) until it was dissolved in 1901. He denied that at the meeting held for the dissolution of the party that certain persons should be Democrats, certain others Republicans and some independent in politics. He said that every person was free to follow. Mr. Smith asserted that the "Mormon" Church does not control any business organization, although it does own stock in many concerns. Many companies alleged by other witnesses to be "Mormon" concerns were mentioned, and the witness denied in every instance that the "Mormon" Church holds a majority of stocks. He declared that "Mormons" are independent in politics and that they resent "the whippersnappers" that "Mormon" officials seek to influence the "Mormon" vote.

Speaking of the Thatcher incident, Mr. Smith said it was because of differences with his brother Anthonies over religious matters that the Church objected to Thatcher's candidacy for senator.

Mr. Smith said he had been through the Endowment House, once for himself and twice for relations, but he objected to answer any questions concerning the ceremonies. He said he is the second cousin of President Smith.

On cross-examination, Mr. Smith said that in his opinion it would be no wrong for President Smith to perform a plural marriage ceremony than for an underling to do so. Since the manifesto, he said, many polygamists have ceased to cohabit with their plural wives, and these women have not been ostracized because of their position. The witness testified that many young "Mormons" were leaving the state because the manifesto should be permitted to live out their plural marriages.

## WILLIAM P. O'MEARA.

William P. O'Meara, a resident of Salt Lake City since 1890, testified that the sentiment of young "Mormons" is against polygamy and that many of them would be willing to have polygamous offenses punished by the federal government. He said he was not in Utah for missionary purposes and did not bother with the "Mormon" question, which he said was the position of most Gentiles on that subject. He was of the opinion that the Church does not interfere in politics and that the eligibility of Senator Smoot to a high political office had been recognized for a number of years.

Mr. O'Meara, at the afternoon session, testified that stocks of "Mormon" companies were offered for sale and not cornered by the "Mormons."

## JUDGE C. W. MORSE.

Judge Charles W. Morse of Salt Lake, a judge of the district court, testified in regard to the work of a special grand jury in 1903, which investigated the question of polygamous relations. The jury was in session four weeks, and many witnesses were examined in regard to the alleged new plural marriages. The jury made a unanimous report to the effect that there were no new cases found. A certified copy of the report was in evidence.

On cross-examination, Judge Morse said the investigations were made into marriages alleged to have taken place since the manifesto.

In answer to question by Senator Dubois, Judge McCarthy said that "Mormons" in Utah may unite to exclude every Gentile from the state ticket and therefore the Gentiles were apprehensive until they knew whether a Gentile was to be made against this, but he said he thought too much prominence was given to the Church, and that the "Mormons" as a Church are not taking the notice in politics that has been attributed to them.

He was of the opinion that Mr. Smoot had to get consent of the Church to run for senator, and that when a high Church officer made certain statements, he understood that he had obtained the consent of his superiors in the Church. He said there was a tacit understanding that one senator should be a "Mormon" and one a Gentile.

Mr. Taylor asked Judge McCarthy if he approved of this agreement and he said: "No, I don't. It recognizes the 'Mormon' Church as a factor in politics and I believe that we should get the best man on the ticket, and that fitness for office should be the only consideration."

At the conclusion of the testimony of Judge McCarthy, Chairman Burrows said that he found that the remonstrance objected to by Mr. Worthington had been introduced in the senate last April and was a part of the public records.

## DR. A. S. CONDON.

Dr. A. S. Condon of Ogden testified that he was a member of the first and last Legislatures. The last Legislature was the one which elected Smoot to the senate. He joined the Smoot forces after he saw that his candidate had no chance for election, but said he had not been approached by the "Mormon" Church. Dr. Condon said that until he came to Washington he had believed in polygamy in Utah was dead. He said he only knew by reputation of three polygamists in his county.

Asked about the sentiment of the people as to polygamy, Dr. Condon said that "condoned" was not the right word. He thought "tolerate" was better; that polygamy was dead.

On cross-examination Dr. Condon presented a number of questions asked by Mr. Taylor and declined to answer until directed to do so by the chairman. He was examined closely concerning his acquaintance with a number of persons reputed to be polygamists, but beyond three cases, the witness said he had no knowledge.

The committee adjourned until tomorrow.

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since the manifesto in Salt Lake county. It was brought out that the statute of limitations in each case was four years. There had been no plural marriage for the past three or four years.

"Taking into consideration the matter of public sentiment, do you think there will be movement now to put a stop to polygamous cohabitation?" asked Chairman Burrows.

Judge Morse said he thought there would be no prosecution unless there is some unlooked for change of sentiment.

## JUDGE W. M. MCCARTHY.

William M. McCarthy of Salt Lake, a judge of the supreme court, who had served as assistant United States district attorney for the county attorney in Sevier county and was known as a vigorous prosecutor of cases of polygamy, testified that after these prosecutions he was elected district judge in a "Mormon" county.

Judge McCarthy said that he made inquiry among young "Mormons," and found the consensus of opinion to be in favor of closing eyes in toleration of conditions and in prosecuting cases of polygamous cohabitation where the marriages were contracted before the manifesto. He said that he did not agree with President Smith that the people of Utah condone the offenses of old polygamists.

"I believe that the sentiment is decidedly against the practice of polygamy, even in cases where the marriages took place before the manifesto, but the people do not want to go on record as prosecutors."

Judge McCarthy was asked concerning his prosecutions of polygamists in the United States court in 1898. He said he brought actions before the commissioners because his superior officer shut off his fees. He thought the United States district attorney had received information from the department of justice to "ease up" on the prosecutions. He thought both political parties became opposed to criminal prosecutions.

Continuing, he said: "And that was the cause of all the trouble—this coquetting with the 'Mormon' Church. Men in both parties sought to learn whether the territory would become a Republican or Democratic state. I won't say they sought out the Church as a political organization, but sought the politicians among the 'Mormons.'"

Judge McCarthy testified that he ran away ahead of his ticket in 1894.

On cross-examination Judge McCarthy said he was the son of a "Mormon" but that his father left the Church in 1872 and did not attend to the manifesto. When cases of unlawful cohabitation were brought before him, Judge McCarthy said he moved upon the defendants mild lessons in the form of fines.

Chairman Burrows asked Judge McCarthy whether he thought the president of the Church confessedly living in polygamous relations, had a tendency to promote and encourage the practice among the people.

"To promote it, unquestionably, I should say," was the response.

Mr. Taylor asked if the president of the Church should put aside his plural wives and declare against polygamous practices there would be an end of the practice except in a few instances.

Chairman Burrows offered a remonstrance of certain prominent citizens of Utah against the testimony of certain witnesses, including President Joseph P. Smith of the "Mormon" Church that the people of Utah condone the practice of polygamy.

Atty. Worthington, in a heated argument, told the committee that he believed the committee should not permit the introduction of an unworn statement of that character, but the chairman permitted the examination of the witness in regard to it.

Taylor asked referring to the remonstrance, but read the language and asked Judge McCarthy if it represented the sentiment of public mind in Utah. Before permitting an answer Mr. Worthington demanded a ruling and questioned the right of the committee to bring in testimony of that character without giving an opportunity for cross-examination. He charged that the remonstrance had been held back until it was known that there would be no opportunity for another.

Chairman Burrows told the witness to answer the question, and he said that the people generally approved of the conditions and said: "I am surprised that those remonstrators should express surprise at the conditions under which the committee was operating."

I knew that President Smith, Apostles John Henry Smith, Lyman, Cowley and some others were living in polygamous relations."

He was asked about the statement of Mr. Booth, who was a witness recently before the committee, and who testified that he was the neighbor of President Smith and did not know he was continuing to cohabit with plural wives. Judge McCarthy replied that Mr. Booth's view must have been very much circumscribed.

In answer to question by Senator Dubois, Judge McCarthy said that "Mormons" in Utah may unite to exclude every Gentile from the state ticket and therefore the Gentiles were apprehensive until they knew whether a Gentile was to be made against this, but he said he thought too much prominence was given to the Church, and that the "Mormons" as a Church are not taking the notice in politics that has been attributed to them.

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## LETTER CARRIERS AS POLITICIANS.

They Were Prepared to Make Deals and Put Up a Big Game of Bluff.

DISMISSAL OF JAS. C. KELLER.

President of Association Was Absent From His Post of Duty Without Leave.

Washington, Jan. 16.—Postmaster Gen. Wynne transmitted to the house today "a statement of facts" relative to the dismissal, Dec. 16, 1904, of James C. Keller, president of the City Letter Carriers' association. The information is in response to a resolution introduced by Representative Hearst and agreed to by the house.

The response says Mr. Keller was dismissed for being absent from his post of duty without leave. In his showing to the department Mr. Keller says that he received word from the late Postmaster Gen. Payne to be absent from duty for a year. When the department ordered his return to duty he filed a letter saying it was impossible for him to do so at present. His dismissal followed.

The campaign of the rural carriers for an increase of pay is set forth in the communication in a number of circular letters credited to the three named carriers, and all are based on an expedition of Carrier Cunningham to New York, where he interviewed Chairman Cortelyou of the national committee, Charles F. Smith, president of the national committee and Representative Overstreet, secretary of the Republican congressional campaign bureau.

The plan was outlined at a dinner in St. Louis and Cunningham was instructed to "make the best bargain possible," with the "politicians."

It was proposed that Representative Overstreet should give out a "news" paper interview to the effect that at a coming session he will allow to be reported out of the postoffice committee the Fairbanks bill (the situation in Indiana is that Fairbanks will be defeated; the Republicans are of the opinion and should be glad of a chance to make this trade). Then what? This interview will be flashed all over the country by the Associated Press, that Overstreet said.

"We will then get in our work of getting congressmen and candidates to commit themselves to vote for the bill. We will then get out the Free Delivery News with an extra whooping up Overstreet; that he is not such a bad fellow, after all, and urge the carriers to support the whole ticket."

"But if Congress does not agree to this plan, then we must do our turn in a game of bluff—say to him that we will support the head of the ticket, but as we have nothing to expect from a Republican house we will support the Democrats for the remainder of the ticket."

The comment is then made, "It is a bold plan, but it is better to go along the line of bluff than to let the politicians think and believe we have much more strength, many more members in our organization and a more perfect organization than we really have. This is very much in our favor, and all committees judge from the quantities of telegrams and petitions sent to Washington last winter."

Carrier Cunningham reported to Carrier Tumber by letter from New York on Oct. 14, 1904, as follows:

"I saw Cortelyou today and he said he had a long talk with Overstreet and that he could not give me any encouragement, at Overstreet would not commit himself. I saw Mr. Taggart this afternoon, and he talked as if the Democrats would without doubt pass the bill if elected. I told him that we would support a Democratic house. I will meet him again tomorrow morning."

After a meeting between Cunningham and Tumber in Buffalo Oct. 19, 1904, a long circular letter to carriers was prepared by Tumber. In it he says:

"I have presented to you the advice of the executive board. It is their judgment that it is necessary for such friends should support the head of the Republican ticket, but a Democratic house."

The postoffice department states that all of the rural carriers named were absent from duty without leave, in addition to their activity in politics.

## First Bridge Over Willamette.

Portland, Or., Jan. 16.—The new steel bridge at Morrison street, which replaces the first structure ever thrown across the Willamette river between Portland and East Portland, was today opened to traffic. The bridge cost about \$400,000, and has required 13 months to construct.

## Asthma Can Be Cured

The statement of Mr. J. F. Homan, 20 E. Adams St., Chicago, proves that the worst cases of Asthma in the world are not only relieved, but are readily cured by Dr. Schiffman's Asthma Cure. He says: "Asthma kept me in terrible misery for ten years until I used your Asthma Cure. After the first trial I was a changed man. I went to sleep at night and awoke next day much relieved and I have gotten entirely over the Asthma. It is now nine years since I was cured."

Sold by all druggists at 50c and \$1.00. Send 2c stamp to Dr. R. Schiffman, Box 894 St. Paul, Minn., for a free trial package.

## ALL KINDS OF LEATHER GOODS AT MEREDITH'S TRUNK FACTORY.

155 Main Street. East Side. REPAIRING.

## Saponifier.

Pennsylvania Saponifier is the original and best soap. It is made of pure vegetable oils and is free from all impurities. It is the best for all purposes, and is sold by all druggists and grocers.

Ask your grocer for it and take no other.

## TEA

You can spoil good tea by boiling, you can't make bad tea good.

In every package of Schilling's Best Tea is a booklet: How To Make Good Tea.

## The Care of The Hair

should be of interest to every woman. If Gray or Thinned Hair can be restored to its natural color or made any shade desired. The Imperial Hair Regenerator is the acknowledged STANDARD. It is equally applied, makes the hair soft and glossy, is absolutely harmless. Sample of hair color free, in correspondence confidential.

Imperial Chem. Mfg. Co., 135 W. 23d St., N.Y.

## Throw your old Clock Away and Phone 65 for the correct time.

236 MAIN ST. SALT LAKE CITY.

## WILLES-HORNE DRUG CO.

Deseret News Building. Both Phones, 374.

## A Little Evidence

May help to convince you that a policy in our company is insurance that protects. It saves money and anxiety, and affords you absolute security at a small cost.

## Home Fire Insurance Co. of Utah.

26 SOUTH MAIN STREET.

## Dentistry Painless

While every person should have the very best dentistry it is possible for skilled dentistry to produce, it is not necessary to incur such high-toned, fancy prices as most good dentists charge.

Every place of work we do is guaranteed for ten years and this guarantee is in writing. Should, at any time during the next ten years, your work fail, or become unsatisfactory, we would be more than pleased to repair it free of charge.

The Boston Dental Parlors are right here and always ready to back up every statement made. Painless silver fillings, 50c up. Painless gold fillings, 1.00 up. Painless porcelain crowns, 5.00 up. Painless porcelain bridges, 5.00 up. Pull set of teeth, 5.00 up.

## Boston Dental Parlors.

126 South Main Street.

## SICK HEADACHE.

A Pill at Night. No "Morning After." Don't suffer when the remedy is so near at hand.

R. G. PILLS eliminate and remove all morbid humors from the system, and thus insure a perfect, regular and healthy condition of the system.

ALSO A POSITIVE CURE FOR—Biliousness, Indigestion, Constipation, Nervelessness.

10c and 25c per Box.

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PRESCRIPTION DRUGGISTS, 101 MAIN ST.

Like the one suggested in this picture, will insure you a prosperous and happy new year. Write or call and we will be glad to tell you how its done.